



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
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Reading File

NOV 29 2016

REPLY TO THE ATTENTION OF: E-19J

Mark Assam
Federal Transit Administration
200 W. Adams Street, Suite 320
Chicago, Illinois 60606

Carole Morey
Chicago Transit Authority
567 W. Lake Street
Chicago, Illinois 60661

Re: Chicago Red Line Extension Project, Draft Environmental Impact Statement, City of Chicago, Cook County, Illinois, CEQ #20160231

Dear Mr. Assam and Ms. Morey:

The U.S. Environmental Protection Agency is providing comments in response to the Draft Environmental Impact Statement (DEIS) for the above mentioned project. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. The Federal Transit Administration (FTA) is the lead agency for this project under NEPA, and the Chicago Transit Authority (CTA) is the project proponent.

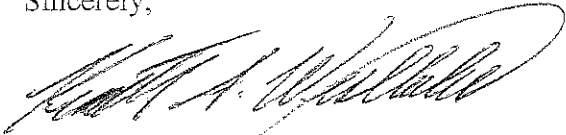
The proposed project would extend the existing Red Line heavy rail transit service 5.3 miles south from the existing 95th Street Terminal to Chicago's Far South Side. The proposal includes four stations and a rail yard and shop. The project team assessed action alternatives over multiple years. With input from local residents, the team selected two action alternatives for full analysis in the DEIS. Both alternatives largely follow existing transportation corridors to minimize community disruptions. The East Alignment runs to the east of Union Pacific Railroad (UPRR) freight tracks from near Eggleston Avenue to near Prairie Avenue, and the West Alignment runs west of the UPRR tracks over the same distance. South of this point, both alignments follow the same route southeast along the Northern Indiana Commuter Transportation District/Chicago South Shore & South Bend Railroad right-of-way.

EPA recognizes the critical community, environmental, and health benefits that well-planned transit service could provide to communities along the corridor. The project area is home to minority and low-income communities, has experienced decades of disinvestment, and is underserved by public transportation connections to Chicago's major activity centers. The project would reduce commute times for residents, improve mobility and accessibility, and provide connections to other transportation modes. The project could also foster important economic development and neighborhood revitalization near the new stations.

We have rated the DEIS as *Lack of Objections* (LO) (see enclosed "Summary of Rating Definitions"). While we do not have objections to the project, we offer recommendations in the enclosed detailed comments to help ensure protection of the environment and human health during project construction and operation.

We appreciate the opportunity to provide comments. If you have any questions or would like to discuss our recommendations, please contact Jen Blonn, the lead reviewer for this project, at 312-886-6394 or blonn.jennifer@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake", written in a cursive style.

Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Enforcement and Compliance Assurance

Enclosure: Summary of Rating Definitions
 EPA's Detailed Comments

Cc via email: Paul Leffler, U.S. Army Corps of Engineers, Chicago District

Environmental Justice and Community Engagement

In order to promote environmental justice, Executive Order 12898 requires federal agencies to identify and address disproportionately high and adverse impacts of all programs, policies, and activities on low income and/or minority populations. The project area consists entirely of minority communities, and contains some low-income areas. The Chicago Transit Authority (CTA) analyzed environmental justice implications of the proposed project, and concluded that: (1) the project would offer substantial benefits to the resident minority and low-income populations, and (2) with proposed mitigation, impacts would not be disproportionately high or adverse. Further, the Draft Environmental Impact Statement (DEIS) explains that CTA has undertaken a robust outreach program to share information and gain input from minority and low-income communities in the project area.

The proposed project was initiated by communities with the goals of connecting historically disadvantaged areas to Chicago's major employment and activity centers, increasing access to employment, and spurring economic development (Appendix X, page 1-1). Nearly all communities that CTA identified as both low-income and minority, such as the Altgeld Gardens Public Housing Project, are currently geographically or physically isolated from timely, reliable transit access to Chicago's downtown and other hubs for jobs and services.

EPA recognizes that the project would disrupt communities by displacing 205 to 260 parcels, depending on the alternative selected. We also understand that residents would be offered fair compensation and relocation assistance per the Uniform Relocation Assistance and Real Property Acquisition Policies Act. The DEIS also states that vacant parcels, homes, and commercial spaces are available to allow relocation within the same neighborhoods.

The Illinois Childhood Asthma Surveillance Report, 2011-2014 was released by the Illinois Department of Public Health in November 2016. The report found that rates of childhood asthma inpatient hospitalizations and emergency room visits were highest among young Black children, and there were significantly higher rates of hospitalizations in disadvantaged geographic areas, including lower-income neighborhoods.¹ This is particularly relevant to the project because nearly all residential portions of the project area contain over 75 percent African American residents, with many areas approaching 100%. Several areas are also low-income.

Recommendations for the Final Environmental Impact Statement (FEIS):

- Continue to actively engage community groups, residents, businesses, and other stakeholders in the project area, and document coordination in the FEIS. Include a description of how local input is being used to inform project design and implementation.
- Commit to provide a single point of contact for residents to gain information and assistance related to displacements and relocations in order to minimize hardships and

¹ Illinois Childhood Asthma Surveillance Report, 2011-2014. Illinois Department of Public Health. Available at: http://www.dph.illinois.gov/sites/default/files/publications/publicationsowh2016-il-childhood-asthma-surveillance-report_0.pdf

- transaction costs, and commit to provide special assistance to enable displaced households and businesses to remain in the same neighborhood, if desired.
- Consider promoting local hiring for project construction and operations.
- Consider existing childhood asthma conditions in the project area. If conditions warrant, strengthen construction air pollution mitigation measures to ensure protection of children's health, in line with Executive Order 13045 on Protection of Children from Environmental Health Risks and Safety Risks.
- In order to best protect communities throughout the construction and operational phases of the proposed project, we recommend compiling all mitigation commitments into a single list, sorted by topic. Residents would then have a single source to easily identify protective measures that should be taken. Include a phone number and email address for residents to contact if they believe appropriate measures are not being taken. This is particularly important for construction air emission mitigation measures, such as idling time for heavy duty trucks. As an example of the type of list we are recommending, see the Michigan Department of Transportation's project mitigation summary "Greet Sheets," which are available online for many projects.
- To help offset any residual impacts to local communities from project construction, including land acquisition and construction air emissions, consider promoting local hiring for project construction and operations.

Noise Impacts and Mitigation

The DEIS explains that without mitigation the East Alternative would result in 574 moderate and 83 severe noise impacts (page 4-60). Without mitigation, the West Alternative would result in 738 moderate and 40 severe noise impacts (page 4-65). For either option, the DEIS explains that CTA would construct a noise barrier approximately 4 feet in height that would provide a 10-dBA reduction in noise on both sides of the track from the 95th Street Terminal to near 119th Street, and no moderate or severe noise impacts would remain after mitigation (page 4-65).

The discussion on noise impacts in Appendix O differs from the body of the DEIS. Appendix O states, "A noise barrier approximately 4 feet in height would provide a 7 to 10-dBA reduction in noise level in the surrounding community. A noise barrier approximately 4 feet in height on an aerial structure that would provide a 10-dBA reduction could result in no impacts remaining after mitigation" (page 5-13). It's unclear whether the proposed mitigation would provide a 7 or 10-dBA reduction in noise, and whether impacts would remain if a 7-dBA reduction is achieved.

Appendix O also states that, with a noise reduction of 10-dBA, moderate noise impacts "would decrease from 280 feet without mitigation to 60 feet from the centerline of the tracks with mitigation" (page 6-61). It's unclear whether any structures would be close enough to the track to experience noise impacts after mitigation. For example, the home pictured on page 5-20 of Appendix L appears close to the tracks and potentially within 60 feet.

Recommendations for the FEIS:

- Clarify whether the proposed noise wall might result in a 7-dBA reduction in noise, as opposed to a 10-dBA reduction.
- Discuss whether any sensitive receptors would be located close enough to tracks to experience moderate impacts after mitigation.

- Quantify expected noise levels after mitigation, and include results in a table.
- If any moderate or severe noise impacts would remain after mitigation, clearly depict impacts on a map of the project area.
- Consider testing for noise after the project is operating to determine whether anticipated noise reductions were achieved, and providing a number and email for residents to contact if they have concerns.
- If any moderate or severe impacts could remain, consider offering additional mitigation, such as window treatments and insulation.

Air Quality Impacts and Mitigation

Air quality impacts and mitigation measures are discussed in DEIS Section 6.1 and Appendix U. CTA trains would run on electricity, meaning there would be no emissions in the project area from operations, which would benefit the local environment and residents' health. Construction activities would take up to five years (page 4-7) and would result in local emissions. As discussed in the DEIS, short-term exposure to diesel exhaust can adversely impact health. We appreciate the list of mitigation measures (page 6-3) that would be implemented to minimize air emissions during construction activities.

Recommendations for the FEIS and Record of Decision:

- Firmly commit to all proposed construction air quality mitigation measures in the FEIS and Record of Decision. Add specificity wherever possible, such as strict maximum time limits for heavy truck idling.
- Per Executive Order 13045 on children's health, pay particular attention to worksite proximity to places where children live, learn, and play, such as homes, schools, daycare centers, and playgrounds. Construction emission reduction measures should be strictly implemented near these locations in order to be protective of children's health.
- Assess whether any trees or shrubs that would be removed during project construction currently serve as a protective barrier against air pollution by minimizing exposure of freight emissions to nearby residents. If the removal of such trees/shrubs would increase residents' exposure to freight emissions, then commit to replant appropriate species.²

Station and Station Area Development

The proposed project includes four new stations near 103rd Street, 111th Street, Michigan Avenue, and 130th Street. Plans call for the northernmost two stations to have surface parking lots only, the Michigan Avenue station to have a parking structure with ground-floor retail and community facilities, and the 130th street station to have a seven-story parking structure. New rail stations offer a valuable opportunity to create new inter-modal community hubs, generate economic development, and improve walkability and bike-ability of the surrounding area.

EPA is focused on promoting health, and crime is one factor that impacts health. The DEIS discusses concerns about safety and criminal activity raised by residents during the scoping period. While Appendix P includes crime heat maps of the project area, crime in the project area is not compared to crime in other parts of the city. It is, therefore, unclear whether safety

² For best practices, see: Baldauf, R. Recommendations for Constructing Roadside Vegetation Barriers to Improve Near-Road Air Quality. U.S. Environmental Protection Agency, Washington, DC, EPA/600/R-16/072, 2016.

measures are needed beyond what CTA employs for typical stations. In addition, studies from other cities on the incidence of crime on and around new transit are discussed, but it is unclear how applicable those studies are to this project area.

Recommendations for the FEIS:

- Engage residents in station and station-area planning visioning activities and use information to inform station designs. Form or use existing partnerships with community groups and local and regional planning organizations to fully take advantage of station-area planning opportunities. Consider incorporating plans for multi-modal connectivity, complete streets, and creating stations as unique neighborhood destinations. Document coordination and plans in the FEIS.
- Consider opportunities for green building in station designs, such as: planning for net-zero energy use, obtaining Leadership in Energy and Environmental Design (LEED) or similar certifications, incorporating green infrastructure for stormwater management, and incorporating on-site renewable energy sources.
- Discuss whether crime rates in any of the proposed station areas warrant a higher-level of attention in upfront planning to make stations and station-areas safe for users. If warranted by existing crime rates and concerns raised by residents during scoping, then consider additional measures to maximize safety for riders. Discuss crime prevention through environmental design (CPTED) and recommendations raised by local residents. While the DEIS considers several protective measures, we recommend providing clear commitments in order to more fully disclose potential impacts and outcomes.
- We encourage CTA, the City of Chicago, and neighborhood organizations to consider EPA resources that support sustainable community development around station areas. Grant and technical opportunities are periodically available at: <https://www.epa.gov/smartgrowth>. For more information, contact Jen Blonn at blonn.jennifer@epa.gov

Climate Change Adaptation and Resiliency

The DEIS and Appendix U discuss the proposed project's contribution to global climate change. The project would bring a new electric train to the Far South Side of Chicago, which would provide a lower-emissions alternative to automobile travel. The analysis quantifies greenhouse gas (GHG) emissions and concludes that emissions would be lower if the project is implemented as compared to the no action alternative.

In addition to considering the potential effects of the proposed action on climate change by evaluating the GHG emissions associated with the project, which is included in the DEIS, we recommend that FTA consider the effects of climate change on the proposed action. The DEIS does not include consideration of future climate scenarios, and how they may impact the proposal and its impacts. Including future climate scenarios, such as those provided by the U.S. Global Climate Change Research Program's National Climate Assessment (NCA),³ provides information valuable to determining how changing climate could affect the environmental impacts of a project, and how the project could be made more resilient to the impacts of climate change. The NCA's section on the Midwest provides a useful starting place for analyzing

³ U.S. Global Change Research Program, 2014 National Climate Assessment, available at: <http://nca2014.globalchange.gov/report>

changing climate conditions. The report finds that, in the Midwest, extreme heat, heavy downpours, and flooding will affect infrastructure, health, air and water quality, and more.

Recommendations for the FEIS:

- Consider the effects of climate change on the proposed action.
- Determine whether the environmental impacts of the alternatives would be exacerbated by climate change. This determination should be informed by assessing future climate scenarios in the FEIS. If impacts may be exacerbated, additional mitigation measures may be warranted.
- We also recommend that the project team consider whether measures are needed to improve resiliency to climate change in the project's design, where appropriate. These changes could be informed by an assessment of future climate scenarios in the "Affected Environment" section. The FEIS's alternatives analysis should, if appropriate, consider practicable changes to the proposal to make it more resilient to anticipated climate change.

Wetlands and Natural Areas

CTA identified 15 wetland areas totaling 15.34 acres of potentially affected wetlands in the project area. We understand that the Federal Transit Administration (FTA) and CTA requested a jurisdictional determination from the U.S. Army Corps of Engineers (Corps) to determine whether the wetlands are jurisdictional under the Clean Water Act (CWA), and that coordination with the Corps is ongoing (page 4-93). If jurisdictional wetlands cannot be avoided, the DEIS explains that CTA would provide compensatory mitigation; potential nearby areas for mitigation are discussed.

Recommendations for the FEIS:

- Document subsequent coordination with the Corps on the need for a CWA Section 404 permit.
- If waters in the project area are jurisdictional, then demonstrate that all potential impacts have been avoided and minimized to the extent practicable, in line with the Clean Water Act Section 404(b)(1) Guidelines.
- If resources cannot be avoided and/or minimized, clearly demonstrate how cost, logistical, or technological constraints preclude avoidance and/or minimization of impacts.
- Discuss any proposed mitigation, including mitigation sequencing per the CWA Section 404(b)(1) Guidelines, and describe of how mitigation will comply with the 2008 Mitigation Rule.
- Consider local mitigation for tree removal for the approximately 13 acres of forested habitat in the vicinity of the 120th Street yard and shop as well as the 61 acres of habitat associated with the East Option and the 67 acres associated with the West Option, as described on pages 6-6 and 6-7 of the DEIS.

